UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1999/311
23 March 1999

ORIGINAL: ENGLISH

LETTER DATED 19 MARCH 1999 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to attach a copy of a letter dated 19 March 1999 addressed to me by Omar Mustafa Muntasser, Secretary of the General People's Committee for Foreign Liaison and International Cooperation (see annex).

I wish to confirm that, pursuant to the second paragraph of that letter, the Secretariat will initiate the necessary action with a view to effecting the transfer of the two accused to the Netherlands.

I should appreciate it if the present letter and its annex could be brought to the attention of the members of the Security Council.

(Signed) Kofi A. ANNAN

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Annex

[Original: Arabic]

Letter dated 19 March 1999 from the Secretary of the General People's Committee for Foreign Liaison and International Cooperation of the Libyan Arab Jamahiriya addressed to the Secretary-General

I should like to express to you the thanks and gratitude of the Libyan Arab Jamahiriya for your commendable and rapid efforts and those of Mr. Nelson Mandela, President of South Africa, His Majesty King Fahd Bin Abdul-Aziz Al Saud, Custodian of the two Holy Mosques, and His Royal Highness Crown Prince Abdullah Al Saud of the Kingdom of Saudi Arabia to find a just solution to the Lockerbie question, from which the Libyan Arab Jamahiriya has suffered for over 10 years, although it committed no wrong.

The Jamahiriya agrees that the two suspects shall appear before the court on 6 April 1999, in accordance with the points agreed on, as follows:

1. A Scottish court will be convened in the Netherlands to try the two suspects in accordance with Scottish law, pursuant to the agreement reached by the legal team, in the presence of international observers appointed by the Secretary-General of the United Nations and in consultation with the Republic of South Africa and the Kingdom of Saudi Arabia.

2. If the suspects are found guilty, they will serve their sentence in Scotland, under the supervision of the United Nations and the auspices of the Libyan Consulate in Scotland, in accordance with the arrangements agreed on with the Government of the United Kingdom.

3. The sanctions imposed on Libya will be suspended upon the arrival of the two suspects in the Netherlands. The sanctions will be lifted definitively once the Secretary-General has submitted to the Security Council within 90 days a report stating that the Jamahiriya has complied with the resolutions of the Council.

I should like to draw your attention again to the following points:

1. The Libyan Arab Jamahiriya, as it has stated on numerous occasions, is opposed to terrorism in all its forms and condemns all terrorist acts, inasmuch as it has itself been a victim of such acts which are condemned by all religions and all international and humanitarian laws.

2. The Jamahiriya undertakes to cooperate with the investigation and the proceedings within the limits permitted by the law and the legislation in force in the Great Socialist People's Libyan Arab Jamahiriya.

3. The Libyan Arab Jamahiriya reaffirms what it stated previously with regard to compensation in the event that the suspects are found guilty and a final verdict is rendered to that effect. In the light of the foregoing, therefore, it believes that the Security Council should adopt a resolution concerning such arrangements and obligations that is binding on all the parties concerned.

(Signed) Omar Mustafa MUNTASSER
Secretary of the General People's Committee
of the People's Bureau for Foreign Liaison
and International Cooperation